

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

Jerome S. Capps

Plaintiff

v.

Commissioner Social Security

Defendant

Civil Action No. 3:11-cv-182

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the
defendant *(name)* _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus postjudgment interest at the rate of _____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____
_____ recover costs from the plaintiff *(name)* _____.

☒ other: Commissioner's non-disability finding is vacated. No finding is made as to whether Plaintiff, Jerome Capps was under a "disability" within the meaning of the Social Security Act. The case is REMANDED to the Commissioner and the Administrative Law Judge under Sentence Four of 42 USC 405(g) for further consideration consistent with the Report and Recommendation and the Decision and Entry.

This action was *(check one)*:

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by Judge Walter H. Rice on a motion for

Order for Report and Recommendations

Date: 05/16/2012

CLERK OF COURT

K. French

Signature of Clerk or Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
Western DIVISION

_____ Jerome S. Capps <i>Plaintiff</i>	:	
	:	
vs	:	Case Number: 3:11-cv-182
	:	
_____ Commissioner Social Security <i>Defendant</i>	:	

NOTICE OF DISPOSAL PER SOUTHERN DISTRICT OF OHIO LOCAL RULES
79.2(a)&(b)

The above captioned matter has been terminated on 05/16/2012.

If applicable to this case, the disposal date will be six (6) months from the above termination date.

Rule 79.2(a) Withdrawal by Counsel:

All depositions, exhibits or other materials filed in an action or offered in evidence shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.

Rule 79.2 (b) Disposal by the Clerk

All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

JAMES BONINI, CLERK

By: K. French
Deputy Clerk